IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

EDGE CAPTURE L.L.C., and EDGE) SPECIALISTS, L.L.C.,)	
Plaintiffs,)	Civil Action No. 09 CV 1521
v.)	JURY TRIAL DEMANDED
BARCLAYS BANK PLC, BARCLAYS CAPITAL INC., UBS AG, UBS FINANCIAL SERVICES INC., UBS SECURITIES LLC, WOLVERINE TRADING, L.L.C., AND WOLVERINE EXECUTION SERVICES, L.L.C.,	Judge Charles R. Norgle, Sr. Magistrate Judge Denlow
Defendants.	

JOINT MOTION TO STAY THE JANUARY 25, 2012 DEADLINES IN THE AGREED SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 16(b)(4), Plaintiffs Edge Capture L.L.C. and Edge Specialists, L.L.C. and Defendants Barclays Bank PLC, Barclays Capital Inc., UBS AG, UBS Financial Services Inc., UBS Securities LLC, Wolverine Trading, L.L.C., and Wolverine Execution Services L.L.C. jointly move this Court to stay the January 25, 2012 deadlines in the Agreed Scheduling Order (D.E. 178) until the parties have completed the events prescribed by LPR 2.2–2.5 and submitted a revised proposed schedule to the Court.

On May 6, 2011, Judge Norgle entered the Agreed Scheduling Order submitted by the parties, which was modeled after the Local Patent Rules and contained dates certain for most deadlines in the case. (D.E. 178.) On July 20, 2011, Judge Denlow granted the parties' Joint Motion to Modify the Case Schedule, in Part, to Stay the Deadlines in the Agreed Scheduling Order (D.E. 178) for Events Covered by LPR 2.2–2.5. (D.E. 203.) In particular, those deadlines were stayed pending defendants' supplementation of their respective LPR 2.1 Initial Disclosures.

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At that time, the parties did not request that the Court modify the subsequent deadlines for the

LPR 3.1 Final Infringement Contentions, LPR 3.1 Final Unenforceability and Invalidity

Contentions, or LPR 3.3 Document Production Accompanying Final Invalidity Contentions.

However, the parties did "agree to evaluate and reasonably accommodate additional proposed

changes to the case schedule[.]" (D.E. 200 at 2.) Indeed, at the November 28, 2011 hearing, the

parties advised the Court that they might seek further modifications to the case schedule, which

the Court indicated it would accommodate. Hearing Tr. at 12:8-13:10.

Defendants are currently in the process of supplementing their respective LPR 2.1 Initial

Disclosures and, thus, the parties have not completed the events covered by LPR 2.2-2.5.

However, because the deadlines for the LPR 3.1 Final Contentions and LPR 3.3 Document

Production were not stayed, these deadlines are currently set for January 25, 2012. All parties

agree it would not be feasible to submit the LPR 3.1 Final Contentions or the LPR 3.3 Document

Production at this time. Furthermore, the LPR clearly contemplate completing LPR 2.2–2.5

before LPR 3.1 and LPR 3.3. Therefore, good cause exists to stay the January 25, 2012

deadlines in the Agreed Scheduling Order until the parties have completed LPR 2.2-2.5 and

submitted a revised schedule to the Court.¹

Respectfully submitted,

Dated: January 20, 2012

By: /s/ Anthony G. Beasley

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¹ The parties recognize that other future deadlines in the schedule may need to be adjusted and

agree to meet and confer regarding proposing further changes to the schedule.

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By: <u>/s/ Jeffrey G. Randall</u>

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CERTIFICATE OF SERVICE

I, Jeffrey G. Randall, hereby certify that on January 20, 2012 I caused a true and correct copy of the foregoing Joint Motion to Stay the January 25, 2012 Deadlines in the Agreed Scheduling Order, to be served by electronic filing using the CM/ECF system upon:

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Dated: January 20, 2012 By: /s/ Jeffrey G. Randall